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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,532	01/15/2004	Masayuki Okuzawa	0020-5217P	4569
2292	7590	02/23/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			SCHATZ, CHRISTOPHER	
PO BOX 747			ART UNIT	
FALLS CHURCH, VA 22040-0747			PAPER NUMBER	

1733

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.		Applicant(s)	
	10/757,532		OKUZAWA ET AL.	
	Examiner		Art Unit	
	Christopher T Schatz		1733	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some * c) ☐ None of:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. (JP 2002-283313) in view of Stover '582 and in further view of Kawai et al. '414 for the same reasons as expressed in paragraph 1 of the office action dated September 17, 2004.

2. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. in view of Stover, in view of Kawai et al., as applied to claim 1, and in further view of Simonson et al. '511 for the same reasons as expressed in paragraph 2 of the office action dated September 17, 2004.

3. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. in view of Stover in further view of Kawai et al. as applied to claim 1, and in further view of Seale et al. '756 for the same reasons as expressed in paragraph 3 of the office action dated September 17, 2004.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. in view of Stover in further view of Kawai et al. in further view of Seale et al. as applied to claims 1 and 9, and in further view Onishi et al. (JP 2000-263519) for the same reasons as expressed in paragraph 4 of the office action dated September 14, 2004.

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5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. in view of Stover in view of Kawai et al. as applied to claim 1 and in further view of Betzner et al. '436 for the same reasons as expressed in paragraph 5 of the office action dated September 14, 2004.

Response to Arguments

6. Applicants arguments filed on January 15, 2004 have been fully considered and are not persuasive. Applicant has canceled claim 6 and amended claim 1 to recite the subject matter in claim 6. Applicant then argues that the Ueda et al. primary reference cited by examiner does not meet the limitation of claim 6. The limitation is that the fiber mat impregnated with a thermosetting adhesive agent is dried in an atmosphere of 120 degrees or less while an inner portion of said fiber mat is sucked from one side thereof. Examiner asserts that the reference does indeed meet the limitation. Ueda et al. explicitly discloses that the temperature of warm air stream used to dry the mat is between 40 and 120 degrees C (paragraph 0037), and said fiberboard is sucked from one side thereof during the application of heat (figure 6(b), paragraph 0065 – paragraph 0066). Examiner acknowledges that the reference does explicitly recite the language “sucked from one side thereof” and “inner portion of fiber mat.” However, in light of applicant’s drawings and specification, it is clear the process disclosed by Ueda et al. is the same process claimed by applicant. Applicant should first note that figure 2(c) of applicant’s drawings and figure 6(a) of the reference are the exact same drawing. Because applicant states that item 14 is the inner fiber mat, examiner asserts that item 1 in the reference is also an inner

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fiber mat. Second, applicant should take note of figure 6(b) in the reference. The figure shows the inner fiber mat 1, as it is moved from one side to another as hot air 3 is applied to dry the mat. Examiner asserts that the process of moving the mat from one side to another via means 35 is the same process of “sucking” the mat from one side.

Furthermore, the reference discloses the same advantage that the “sucking” process claimed by applicant achieves – the mechanical properties and peel strength (bond strength) of the fiber mat are improved. Therefore, the reference meets the limitation added to claim 1.

Applicant further states that the other references do not meet the limitation. However, because the Udea et al. reference does meet the claimed limitation, the absence of this limitation in the secondary references is irrelevant.

Finally, applicant traverses the rejection of claims 7-11 on the sole basis that because claim 1 is allowable, claims 7-11 should be allowed. As explained above by examiner, the Udea et al., in conjunction with the Stover and Kawai et al. references, meet all the limitations of claim 1. Therefore, claims 7-11 are not allowable

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not


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mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Christopher T Schatz** whose telephone number is **571-272-1456**. The examiner can normally be reached on 8:00-5:30, Monday -Thursday, 8:00-4:30 Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on 571-272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JEFF H. AFTERGUT
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